

THE KENTUCKY BOARD OF LICENSURE FOR PRIVATE INVESTIGATORS

August 2, 2007

A regular Board Meeting of the Kentucky Board of Licensure for Private Investigators was held at the Board offices, Division of Occupations and Professions, 911 Leawood Drive, Frankfort, KY on Thursday August 2, 2007.

MEMBERS PRESENT

Rick Hessig, Chairman
Norman Williams
Jim Ringo
Mike Ober

OCCUPATIONS & PROFESSIONS STAFF

Adriana Lang, Board Administrator
Wendy Satterly, Division Supervisor

MEMBERS ABSENT

Roger McDonald

OTHERS PRESENT

Diane Fleming, Attorney
Bill Lily
John Logdon
Ric Cawood
Sean Norris

CALL TO ORDER

The Chairman, Mr. Rick Hessig, called the meeting to order at 1:10 p.m.

APPROVAL OF MINUTES

The minutes of the June 7, 2007 meeting were called to the attention of the members. A motion was made by Mr. Jim Ringo to approve the minutes, motion seconded by Mr. Norman Williams, carried.

FINANCIAL STATEMENT

The Board reviewed the Financial Statement indicating a balance of \$81,239.63 from July 1, 2006 to May 31, 2007, \$90,814.14 from July 1, 2006 to June 30, 2007 and \$88,092.23 from July 1, 2006 to June 30, 2007 end of the year. A motion was made by Mr. Norman Williams to accept the Financial Statement. Motion, seconded by Mr. Jim Ringo, carried.

LICENSURE STATUS

The Board reviewed the Licensure Report of August 2, 2007.

ATTORNEY REPORT- LEGAL MATTERS

Ms. Diane Fleming informed the Board that she did not find any records on the injunctions that she previously filed against Whitehall Bureau and Brian Finney. The Board requested Ms. Fleming to re-file the injunctions against Whitehall Bureau and Brian Finney, and bring an update to the next scheduled regular Board meeting.

Ms. Fleming provided the Board a copy of the drafts of the regulations for: Inactive Status, 201 KAR 41:070 Continuing Professional Education and 201 KAR 41:040 Fees. The Board reviewed and discussed the regulations. The Board agreed to schedule a Special Board Meeting on August 15, 2007, for the purpose to review and make a final decision on the drafted regulations. Mr. Rick Hessig requested Ms. Fleming to submit the regulations drafts electronically to the Board members, for a prior review, before August 15, 2007.

Ms. Diane Fleming provided the Board an update on the Barbara Payton's case.

Ms. Diane Fleming informed the Board that she was going to check the status of the letters to George Nemecek/ Rusty James and Diane Patterson/Tony Carter, with Ryan Halloran and bring an update to the next scheduled meeting.

Ms. Diane Fleming presented the Board Notice of Hearings for licensees that failed to respond the Board's letter regarding the insurance requirement. Ms. Fleming stated that she would mail to the licenses the Notice of Hearings.

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ATTORNEY REPORT CONTINUED

Ms. Diane Fleming presented the Board a Notice of Hearing for Mr. Scott Crabtree. The Board reviewed and discussed information received from the Kentucky Higher Education Assistance Authority (KHEAA) regarding Mr. Crabtree's student loan. The Board requesting Ms. Fleming to add KHEAA's information to Mr. Crabtree's Notice of Hearing and mail to Mr. Crabtree.

Ms. Fleming stated that she would check the status of Michael Kessler with Mr. Ryan Halloran, and bring an update to the next Board meeting.

DIRECTOR'S REPORT

The Board reviewed a proposal to handle requests from licensees in between regular Board meetings, from the Director, Mr. Claude Wagner. The Board's attorney, Ms. Diane Fleming, provided the Board a detailed explanation on the Board members duties as Board members, and recommended to the Board not make any solo decision as Board members. Per council advice, the Board rejected Mr. Wagner's proposal.

OLD BUSINESS

The Board discussed the proof of insurance requirements. The Board agreed that all private investigators are required to provide the Board, a proof of liability insurance certificate that shows the licensee's name on the certificate as the insured.

NEW BUSINESS

The Board reviewed and discussed correspondences and e-mails received from Mr. Peter Wilkins regarding change of qualifying agent and ownership for Inspectaclaim, LLC. Mr. Mike Ober made a motion for the Board's attorney, Ms. Diane Fleming, to draft a letter to Mr. Rodney Brock requesting Mr. Brock to return to the Board office, the license certificate of Inspeclaim, LLC., and provide the Board a letter explaining the company changes. The motion, seconded by Mr. Norman Williams, carried.

The Board reviewed the new online forms for Name/Address change form, Application for Licensure as a Private Investigator, Private investigator Company Application and Complaint Form. The Board decided to not accept the forms. The Board stated that they will draft new forms to be filed with the new regulations and will update the online forms once the new regulations and forms are approved.

The Board reviewed correspondence received from Mike Worley regarding the licensure requirements. Mr. Mike Ober made a motion for the Board's attorney, Ms. Diane Fleming to send a letter to Mr. Worley advising him that he is required to apply for a private investigator license. The Motion, seconded by Mr. Norman Williams, Carried.

The Board reviewed correspondence received via e-mail regarding two (2) men working for an attorney as private investigators, information provided by Jeffrey Prather. Ms. Diane Fleming informed the Board that the Attorney General's Office is working on a draft of the definition of the bona fide employees of an attorney exemption of licensure. The Board requested Ms. Fleming to bring an update to the next Board meeting.

The Board reviewed correspondence received from Kentucky State Police regarding the fee reduction of the finger print requests, from \$34.00 to \$29.25 effective October 1, 2007. Ms. Diane Fleming informed the Board that she made the finger print fee changes on the current drafted regulation.

The Board reviewed a letter of resignation as Board a member from Ms. Tara Ford.

The Board was informed by staff members that someone from Sheriff Michael Helmig's office contacted Mr. Claude Wagner via a telephone call, to notify the Board that he resigned as a Board member.

The Board reviewed E-mail from the fiscal section stating that beginning July 1, 2007 through September 30, 2007 the mileage reimbursement is .44 cents per mile.

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NEW BUSINESS CONTINUED

The Chairman, Mr. Rick Hessig, informed the Board that Mr. Norman Williams appointment is going to expire on August 15, 2007, and that Mr. Williams informed him that due to his work schedule, he was unable continue to serve as a Board member after his expiration date. Mr. Mike Ober made a motion to send a plaque to Mr. Williams. The motion, seconded by Mr. Jim Ringo, carried.

The Chairman, Mr. Hessig thanked Ms. Lang for the work she does for the Board and congratulated Ms. Lang for becoming a Citizen of the United States. Mr. Mike Ober made a motion to send a plaque to Ms. Lang. The motion, seconded by Mr. Jim Ringo, carried.

The Board reviewed correspondence received from Probation Officer, Mr. Gregory Coomes, with the United States District Court Federal Probation System, regarding Thomas Welby Cox, holding himself as a private investigator, in Louisville, Kentucky. The Board requested, their attorney, Ms. Diane Fleming to send Mr. Thomas Welby Cox a Cease and Desist letter, and asked Ms. Fleming to forward a copy of the new Cease and Desist letter to the Board administrator to be used on future cases. The Board requested their administrator to send a letter, to Mr. Gregory N. Coomes, stating that Mr. Thomas Welby Cox does not hold a private investigator license in the Commonwealth of Kentucky.

The Board reviewed an e-mail from Mr. Robert J. Vertichio regarding the licensure requirements. The Board requested their Board administrator to respond to Mr. Vertichio's e-mail requesting him provide them with more specific information on the job description of the Forensic Accounting and Computer Forensics positions.

APPLICATION REVIEW COMMITTEE

The Vice-Chairman, Mr. Norman Williams, gave the following report from the Application Review Committee. The Board accepted Mr. Williams report as follows:

INDIVIDUAL APPROVED RECIPROCAL: *James Laster.*

INDIVIDUALS APPROVED WITH PROVISIONS: *Dorothy Paschall-Darby, Jay Dold, Samantha Finke, Jean-Philippe Gascon, Kimberly Gray, John Marshall, Peggy Meyer, Jerry Montgomery, Susan Spaulding, Donna Wakefield and Jamie Whetstone.*

COMPANY APPROVED WITH PROVISIONS: *Defense Investigations Group, Inc. and Research Consultants Group, Inc.*

COMPANY APPROVED: *Kentucky Intelligence Services (KY.I.S)*

CONTINUING EDUCATION:

Mr. Jim Ringo made a motion to approve Continuing Education request for Metro Arson Bureau. The motion, seconded by Mr. Norman Williams, carried.

Mr. Jim Ringo made a motion to approve Continuing Educations requests for North American Training Group The motion, seconded by Mr. Norman Williams, carried.

TRAVEL AND PER DIEM

A motion was made by Mr. Jim Ringo to approve payment of travel expenses and per diem compensation for eligible members in attendance at today's meeting. Motion, seconded by Mr. Norman Williams, carried.

ADJOURNMENT

The Chairman, Mr. Rick Hessig informed the Board that the next meeting will be a Special Board Meeting, scheduled for Wednesday, August 15, 2007, at 9:00 a.m. Having no further business to be brought before the Board, a motion was made by Mr. Jim Ringo to adjourn. Motion seconded by Mr. Norman Williams, carried. The meeting adjourned at 3:25 pm.

APPROVED